

REMARKS

I. Formalities

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and for confirming receipt of the certified copy of the priority document.

Applicants also thank the Examiner for indicating that the drawings filed on November 4, 2003 have been accepted.

II. Status of the Application

By the present amendment, claims 1-3, 6, 12, 14, 21, 23 and 26 have been amended. Claims 1-28 are all the claims pending in the Application. The Examiner has rejected claims 1, 15-19 and 21 and has objected to claims 2-14, 20 and 22-28.

III. Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 2-14, 20 and 22-28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicants respectfully request that the Examiner hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection of the other claims.

IV. Claim Objections under 35 U.S.C. § 112

The Examiner has objected to claim 21 because of a minor informality. Specifically, the Examiner alleges that "it" in line 4 should be changed to what "it" refers. Claim 21 has been

amended, as set forth above, to correct the informalities noted by the Examiner. Thus, Applicants respectfully request that the Examiner withdraw this objection.

V. Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claims 1, 15-17, 19 and 21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,805,468 to Itoh *et al.* (hereinafter “Itoh”). Applicants respectfully traverse this rejection for *at least* the independent reasons stated below.

According to the MPEP, “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (MPEP § 2131). Applicants respectfully submit that claims 1, 15-17, 19 and 21 positively recite limitations which are not disclosed (or suggested) by Itoh.

A. Independent Claim 1

Independent claim 1 recites (among other things):

...wherein the refraction member is shaped to refract the light emitted from the point light source toward an optical axis of the point light source...

The grounds of rejection allege that the prism member 5, as disclosed in Itoh, corresponds to “the refraction member,” as recited in claim 1. Applicants respectfully disagree.

In contrast to the requirements of claim 1, Itoh fails to disclose or suggest the feature of a refraction member which is shaped to refract the light emitted from the point light source toward the optical axis of the point light source. Indeed, contrary to the grounds of rejection, Itoh fails to teach or suggest that the prism member 5 is shaped to refract the light that is emitted from the

LED 3 toward the optical axis of the LED 3, as required by claim 1. Further, the grounds of rejection point to any specific portion of Itoh that teaches or suggests this feature.

In fact, Itoh teaches just the opposite—that “[t]he prism sheet 50 is composed of minute prisms 5a having a function of refracting light that is emitted from each LED 3 and thereby inputting, to the light incidence surface 1c, refracted light that is scattered to both sides in the longitudinal direction x (indicated by an arrow in FIG. 1) of the light incidence surface 1c.” (Column 5, lines 15-20). Moreover, Applicants submit that the description provided in Itoh that the disclosed “longitudinal direction x” is “(indicated by an arrow in FIG. 1)” is a typographical error, and that this description should read “(indicated by an arrow in FIG. 2).” (*See* column 5, lines 15-20; Figures 1-2).

Accordingly, as clearly illustrated in FIG. 2 of Itoh, the prism member 5 is shaped to refract the light emitted from the LED 3 away from the optical axis of LED 3. (*See* FIG. 2). Further, as explained in Itoh, “[i]n this manner, the light that is emitted from the LED 3 is expanded to a large extent in the longitudinal direction x of the light incidence surface 1c, whereby the light becomes weak in a portion of the light incidence surface 1c that faces the LED 3.” (Column 5, lines 47-51). Indeed, considered as a whole, the disclosure provided in Itoh is directed to a device in which a prism member is arranged such that refracted light is diffused to both sides in the longitudinal direction of the light incidence surface and, as a result, chrominance or luminance unevenness can be prevented. (Abstract). Hence, Itoh does not disclose, and is incapable of suggesting, a refraction member which is shaped to refract the light

emitted from the point light source toward the optical axis of the point light source, as recited in claims 1 and 21.

Therefore, Applicants submit that independent claim 1 is not anticipated by (i.e. is not readable on) the applied Itoh reference for *at least* these independent reasons. Moreover, Applicants submit that the dependent claims 15-17 and 19 are patentable over Itoh *at least* by virtue of their dependency on claim 1. Thus, Applicants respectfully request that the Examiner withdraw these rejections.

B. Independent Claim 21

Independent claim 21 recites (among other things):

...wherein the refraction member is shaped to refract the light emitted from the point light source toward an optical axis of the point light source...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicants respectfully submit that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 21. As such, it is respectfully submitted that claim 21 is patentably distinguishable over the cited references *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

VI. Claim Rejections - 35 U.S.C. § 103

The Examiner has rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Itoh in view of the Applicants' admitted prior art. Applicants respectfully traverse this rejection for *at least* the reasons set forth below.

Claim 18 incorporates all the novel and nonobvious recitations of its base claim 1. For *at least* the reasons explained above, Itoh fails to teach or suggest all the recitations of claim 1. Further, Applicants' admitted prior art does not remedy the deficient teachings of Itoh. As such, Applicants submit that claim 18 is patentable over Itoh, Applicants' admitted prior art, and any combination thereof, *at least* by virtue of its dependency on claim 1.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
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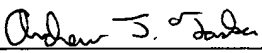
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